APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,024	06/15/2001	Kumar Bhaskaran	YO9-99-314	7837

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EXAMINER
FRANCIS, MARK P

ART UNIT	PAPER NUMBER
2193	

MAIL DATE	DELIVERY MODE
05/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 February 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 3-7</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 3-7</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment filed February 13, 2007.

2.   Per applicants' request, claims 1 and 3-7 remain pending.

3.   The Office acknowledges the receipt of the formal drawings by Applicant filed on

February 04, 2002.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the

rejections under this section made in this Office action:

5.   A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

6.   Claims 1 and 3-7 are rejected under 35 U.S.C. 102(e) as being anticipated by

Adler. (U.S. PGPUB 2002/0169658)

Independent claims

With respect to claim 1, Adler discloses Burke discloses a computer implemented

system analysis and design method for use in a complex business environment

characterized by a set of tightly linked9Col 9:0079-0080, "...all linked and supported...")

business processes(Col 1:0005, "...Strategic business decisions...") comprising the

steps of: capturing in a framework (Col 9:0082, "...modeling environment...") a world

view of business decisions that occur in a business process/, wherein the world

view(Col 5:0041, "...the economy...") is defined by business objectives, constraints,

assumptions, data, (Col 4:0032-0033, "...business issues such as B2B channel

strategies...") and an underlying model used in the business decision and/or the

application software system; 9Col 5:0041-0043, "...comprising model entities...")

and using the framework to specify and document each business decision(Col 11:0099,

"...the modeling framework, illustrating the object model...") and/or business application

software system in the complex environment that a BDML (Business Decision Markup

Language) is used to implement the framework for specifying the world view of the

business decisions;(Col 9:0084, "...and XML...") and using the framework to specify

and document each of the business decisions in the complex environment.(Col 7:0073,

"...a plurality of decision options...")

With respect to claim 7, Adler discloses A BDML (Business Decision Markup Language)

processor comprising:

a syntax processor that checks the syntax correctness and syntax consistency within an

individual and between different documents written in BDML(Col 9:0083-0085,

"...Behavioral rules are code modules...")

a logic processor that checks logical consistency between different documents written in

BDML, each document representing a business decision in terms of the decision's

business objectives, constraints, assumptions, data,(Col 11:0098-0099, "...contains the

following primary classes: Economy, Market...") and underlying model among the different documents, wherein the check for logical consistency includes checking for logical consistency between their respective business objectives, constraints, assumptions, data, and underlying models; (Col 11:0099-0101, "...This also allows Constraints to be represented...")

and a knowledge-based processor including a knowledge base of business decisions, common choices for their decision support models and commercially available decision support systems, wherein the knowledge-based processor provides suggestions for a set of BDML documents to improve consistency using the knowledge base. (Col 10:0086-0088, "...decision options, and scenario elements...")

Dependent claims

With respect to claim 3, the rejection of claim 1 is incorporated and further, Adler discloses that the BDML is used for creation and maintenance of a knowledge base of business decisions and processes within an organization. (Col 9:0084, "...and (XML)...", Col 11:0099-0100, "...The model uses Unified Modeling Notation...")

With respect to claim 4, the rejection of claim 1 is incorporated and further, Adler discloses that the BDML is used for the publication of the functional specification of a business application software system, the world view of a technical research paper in the area of business decisions and its findings. (Col 9:0084, "...and (XML)...", Col 11:0099-0100, "...The model uses Unified Modeling Notation...")

With respect to claim 5, the rejection of claim 1 is incorporated and further, Adler

discloses that providing a BDML processor and conducting systematic documentation of

said business decision's business objectives, constraints, assumptions, data, and

underlying model in business processes, wherein said conducting systematic

documentation includes forming the BDML as machine-readable by the BDML

processor and by human users.(Col 9:0084, "...and (XML)...", Col 11:0099-0100,

"...The model uses Unified Modeling Notation...")

With respect to claim 6, the rejection of claim 1 is incorporated and further, Adler

discloses that the BDML supports XML (eXtensible Markup Language) based standards

for business to business exchanges. (Col 9:0084, "...and XML...")

Response to Arguments

7.   Applicant's arguments filed on February 13, 2007 have been fully considered but

they are not persuasive. Following is the Examiner's response to Applicants' arguments.

With respect to claim 1, Applicant essentially argues that Adler et al. does not

anticipate the features of this claim because Adler et al. does not teach or suggest a

systematic way to document content and a way to process the documents of the

content by a computer so as to check for consistencies and errors.

In response, the Examiner differs Note Col 4:0032-0033, it is here that Adler

teaches that the invention has key applications in supporting strategic decision-making

pertaining to business issues such as B2B channel strategies, mergers and

acquisitions, creating products, business units, or production capacity, and to strategic

decision making in military, legislative, healthcare, environmental, political, and other

non-business domains. In addition, the Examiner Note, Col 5:0034, here Adler states

that the invention models the user's strategic decision context or domain in terms of a

set of entities-economies, markets, businesses and business units. Thus, Adler does

disclose a systematic way to document content and a way to process the documents of

the content by a computer so as to check for consistencies and errors.

With respect to claim 1, Applicant argues that Adler does not teach that the framework

is for mathematical or logical models used to represent business decisions.

In reply, the Examiner disagrees, Applicant is arguing limitations that are not

claimed or defined in any of the independent claim and thus are not given any merit.

With respect to claim 1, Applicant argues that Adler et al does not disclose that

the BDML documents in our invention specify the business objectives, constraints,

assumptions, and underlying model used in a software application, in addition to the

data used in the software application.

In reply, the Examiner differs Note Col 9:0083-0084, Adler teaches that the object-oriented programming languages may be used to develop to implement the component tools. Adler goes on to describe that some model elements require a specification of behavior that outruns declarative representations. In these instances, the OOP can extend the declarative object model with program modules named behavioral rules. Therefore, Adler does teach the BDML documents in our invention specify the business objectives, constraints, assumptions, and underlying model used in a software application, in addition to the data used in the software application.

With respect to claim 7, Applicant disputes that Adler does not suggest any mentioning of checking consistencies between actions.

The Examiner disagrees, Note Col 11:0099-0100, Adler discloses that the model uses Unified Modeling Notation with a top-level object class called the Decision Model which combines all the classes that make-up the domain model/decision context, scenarios, and decision options. Adler also teaches that the model also allows Constraints to be represented, which express logical restraints on attribute values and relationships. Adler also teaches that a scenario may specify that a LineofBusiness may not belong to more than two Emarketplaces. In order for this to occur, Adler's invention must check for consistencies between actions. Therefore, Adler does suggest mentioning of checking consistencies between actions.

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
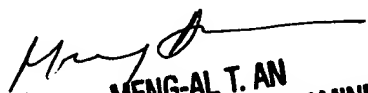
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mark P. Francis whose telephone number is (571)272-

7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai T.An can be reached on (571)272-3756. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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